

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 416 of 2007(Y)

PETITIONERS:

- 1. MINI V.A., AGED 34 YEARS,
D/O. VIJAYAMMA, CLEANING STAFF,
VEGETABLE AND FRUITS PROMOTION COUNCIL,
KERALA (VFPCK), KAZHAKOOTAM.**
- 2. RAJAPPAN K.,
LABOURER, VEGETABLE AND FRUITS PROMOTION
COUNCIL, KERALA (VEPCK), KAZHAKOOTAM.**
- 3. CHITRA S.S.,
OFFICE ASSISTANT, VEGETABLE AND FRUITS
PROMOTION COUNCIL, KERALA (VFPCK),
KAZHAKOOTAM.**
- 4. SURENDRAN C.,
SALES ASSISTANT, VEGETABLE AND FRUITS
PROMOTION COUNCIL, KERALA (VFPCK),
KAZHAKOOTAM.**
- 5. LEEJA V.R.,
ACCOUNTANT, VEGETABLE AND FRUITS PROMOTION
COUNCIL, KERALA (VFPCK), KAZHAKOOTAM.**
- 6. CHARANKUMAR,
DRIVER, VEGETABLE AND FRUITS PROMOTION COUNCIL,
KERALA (VFPCK), KAZHAKOOTAM.**

**BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR
SRI.DILEEP P.PILLAI
SRI.V.SHYAMOHAN**

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RESPONDENTS:

1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY, MINISTRY OF AGRICULTURE,
GOVERNMENT SECRETARIAT, TRIVANDRUM.
2. THE VEGETABLE AND FRUITS PROMOTION
COUNCIL OF KERALA, MYTHRI BHAVAN,
NEAR DOORDARSHAN KENDRA, CSEZ P.O.,
COCHIN-37, REPRESENTED BY ITS CHIEF EXECUTIVE
OFFICER (CEO).
3. THE CHIEF MANAGER IN CHARGE,
VEGETABLE AND FRUITS PROMOTION COUNCIL OF
KERALA, BIOTECHNOLOGY MODEL AGRICULTURE CENTRE,
KAZHAKOOTAM.

BY ADV. SRI.N.SUGATHAN, SC for R2 & R3

SMT.VARSHA BHASKAR

BY SR.GOV'T.PLEADER SRI.V.T.K.MOHAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WPC.NO.416/2007 Y

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE BOARD RESOLUTION DTD. 14/11/05.

EXT.P2: COPY OF THE RESOLUTION DTD. 25/01/06.

EXT.P3: COPY OF THE BOARD RESOLUTION DTD. 25/11/05.

2ND RESPONDENT'S EXHIBITS:

EXT.R2(A): COPY OF G.O.(RT) NO.331/05/AD DTD. 14/03/2005.

EXT.R2(B): COPY OF G.O.(RT) NO.529/06/AD DTD. 18/04/2006.

EXT.R2(C): COPY OF G.O.(RT) NO.448/07/AD DTD. 24/03/2007.

/TRUE COPY/

P.A.TO JUDGE

Kss

K.BALAKRISHNAN NAIR,J.

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Judgment

The petitioners, who were working on daily wage basis in the 2nd respondent company, have approached this Court, claiming regularisation in service. The 2nd respondent has filed a counter affidavit in which it is submitted that the institute called Bio-technology and Model Floriculture Centre , Kazhakkuttom was given on lease to the 2nd respondent company by the Government by Ext.R3(a) order dated 14.03.2005 for a period of one year. It was extended for one more year. Later, it was handed over back to the Government. When that institute was run by the 2nd respondent, certain persons from the locality were engaged on daily wage basis. The petitioners herein belong to that group of employees. When the lease was terminated and the institute was handed over, the petitioners were also terminated from service. The petitioners have not filed any reply affidavit.

2. The petitioners were recruited for a specific project for a specific period. Once the said project is over, they were terminated also. Therefore, I find nothing illegal with the action of the 2nd respondent in terminating them. If they have any rights as retrenched employees of the 2nd respondent, they will be free to pursue the same. Subject to that right, the Writ Petition is dismissed.

23.07.2007

K.BALAKRISHNAN NAIR,JUDGE

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